

16.07.2021

Court No.28
Item No.30

Saswata

CRM 2640 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed on 12.03.2021 in connection with Balurghat Police Station Case No. 378 of 2020 dated 01.10.2020 under Sections 21(C)/22(C)/23(C)/25/27A/28/29 of the NDPS Act (G.R. Case no. 73 of 2020);

And

In the matter of : **Prabir Kumar Mondal @ Probir Kumar Mondal**
...Petitioner

Mr. Sakhawat Khandakar

...For the Petitioner

Mr. Tapandeb Nandy
Mr. Antarikya Basu

... For the State

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure in connection with Balurghat Police Station Case No. 378 of 2020 under Sections 21(C)/22(C)/23(C)/25/27A/28/29 of the NDPS Act (G.R. Case no. 73 of 2020).

The petitioner is in custody for nearly 288 days in connection with the aforesaid case. It appears from the record that contraband was recovered from the exclusive possession of the petitioner above commercial quantity. Even though charge-sheet has been submitted, we do not find that the rigour of Section 37 of the NDPS Act cannot be applied and extending the benefit of the petitioner.

Accordingly, the prayer for bail of the petitioner is considered and ***rejected***.

The Sessions Judge is, however, requested to expedite the trial.

(Harish Tandon, J)

(Subhasis Dasgupta,J.)

